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APPLICATION NUMBER	FILING OR 371 (c) DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
10/802,228	03/16/2004	Pulst S.	825466-100151

34026
JONES DAY
555 WEST FIFTH STREET, SUITE 4600
LOS ANGELES, CA 90013-1025



CONFIRMATION NO. 8912

FORMALITIES LETTER



OC000000012963868

Date Mailed: 06/16/2004

NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

*Filing Date Granted*Items Required To Avoid Abandonment:

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The oath or declaration is missing.
A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(e) of \$65 for a small entity in compliance with 37 CFR 1.27, must be submitted with the missing items identified in this letter.
- This application does not contain a statement that the content of the sequence listing information recorded in computer readable form is identical to the written (on paper or compact disc) sequence listing and, where applicable, includes no new matter, as required by 37 CFR 1.821(e), 1.821(f), 1.821(g), 1.825(b), or 1.825(d). Applicant must provide such statement. If the effective filing date is on or after September 8, 2000, see the final rulemaking notice published in the Federal Register at 65 FR 54604 (September 8, 2000) and 1238 OG 145 (September 19, 2000).
- A copy of the "Sequence Listing" in computer readable form has not been submitted as required by 37 CFR 1.821(e). If the effective filing date is on or after September 8, 2000, see the final rulemaking notice published in the Federal Register at 65 FR 54604 (September 8, 2000) and 1238 OG 145 (September 19, 2000). Applicant must provide an initial computer readable form (CRF) copy of the "Sequence Listing" and a statement that the content of the sequence listing information recorded in computer readable form is identical to the written (on paper or compact disc) sequence listing and, where applicable, includes no new matter, as required by 37 CFR 1.821(e), 1.821(f), 1.821(g), 1.825(b), or 1.825(d). If applicant desires the sequence listing in the instant application to be identical with that of another application on file in the U.S. Patent and Trademark Office, such request in accordance with 37 CFR 1.821(e) may be submitted in lieu of a new CRF.

For questions regarding compliance to these requirements, please contact:

09/22/2004 JBALINAN 00000018 502468 10802228

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65.00 DA

- For Rules Interpretation, call (703) 308-4216
- To Purchase PatentIn Software, call (703) 306-2600
- For PatentIn Software Program Help, call (703) 306-4119 or e-mail at patin21help@uspto.gov or patin3help@uspto.gov

SUMMARY OF FEES DUE:

Total additional fee(s) required for this application is \$65 for a Small Entity

- \$65 Late oath or declaration Surcharge.

Replies should be mailed to: Mail Stop Missing Parts
Commissioner for Patents
P.O. Box 1450
Alexandria VA 22313-1450

*A copy of this notice **MUST** be returned with the reply.*

Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE



Patent

Attorney Docket: 825466-100151

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the Application of:

Inventor: Pulst, S.

Serial No.: 10/802,228

Filed: March 16, 2004

For: Methods and Compositions for the
Treatment of Obesity

)
) **Group Art Unit: 1653**

)
) **Examiner: To be assigned**

)
) **Confirmation No. : 8912**

)
) **Customer No. : 34026**

TRANSMITTAL OF MISSING PARTS

Mail Stop Missing Parts
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

I. **DOCUMENTS ENCLOSED:**

In response to the **NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION** filed under 37 CFR § 1.53(b), which was mailed by the Patent Office on June 16, 2004, enclosed are:

- ☒ Declaration
- ☒ Power of Attorney & Revocation of Prior Powers by Assignee
- ☒ A copy of Sequence Listing on paper and a copy of Sequence Listing in computer readable form

CERTIFICATE OF MAILING
(37 C.F.R. §1.8a)

I hereby certify that this paper (along with any referred to as being attached or enclosed) is being deposited with the United States Postal Service on the date shown below with sufficient postage as First Class Mail in an envelope addressed to the MS Missing Parts, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

SEPTEMBER 15, 2004
Date of Deposit
LAI-2151874v1
825466 - 100151

VICTOR MITTONGARE
Name of Person Mailing Paper

[Signature]
Signature of Person Mailing Paper

- ☒ Statement
- ☒ A copy of the Notice to File Missing Parts of Nonprovisional Application under 37 CFR § 1.53(b)

II. REQUEST FOR EXTENSION OF TIME:

The proceedings herein are for a patent application and the provisions of 37 CFR § 1.136 apply.

- ☒ Applicant(s) petitions for an extension of time under 37 CFR § 1.136 [fees: 37 CFR § 1.17(a)(1)-(5)] for the total number of months checked below:

EXTENSION (months)	FEE FOR SMALL ENTITY	FEE FOR OTHER THAN SMALL ENTITY
<input checked="" type="checkbox"/> one month	\$55.00	\$110.00
<input type="checkbox"/> two months	\$210.00	\$420.00
<input type="checkbox"/> three months	\$475.00	\$950.00
<input type="checkbox"/> four months	\$740.00	\$1,480.00
<input type="checkbox"/> five months	\$1,005.00	\$2,010.00
Fee		\$55.00

- ☒ If any extension fee is required, please consider this a petition therefor.

III. FILING FEES

- ☒ Applicants claim small entity status pursuant to 37 CFR 1.27.

BASIC FILING FEE:			
Surcharge 37 CFR § 1.16(e)	(if applicable)	<input checked="" type="checkbox"/>	\$130.00
Total Claims 37 CFR § 1.16(c)			
Independent Claims 37 CFR § 1.16(b)			
Multiple Dependent Claims	\$290 (if applicable)	<input type="checkbox"/>	
TOTAL OF ABOVE CALCULATIONS			\$130.00
Reduction by ½ for Filing by Small Entity		<input checked="" type="checkbox"/>	\$65.00
Extension of Time (from above)			\$55.00
Assignment -- \$40 (if applicable)		<input type="checkbox"/>	\$0.00
TOTAL FEES SUBMITTED HERewith			\$120.00

IV. METHOD OF PAYMENT OF FEES:

- ☐ A check in the amount of _____ is enclosed to cover the above fee(s).
- ☒ Charge Jones Day's Deposit Account No. **50-2468** in the amount of **\$120.00**.
- ☒ The Commissioner is authorized to charge Jones Day's Deposit Account No. **50-2468** for any fees required under 37 CFR §§ 1.16, 1.17 and 1.445 that are not covered, in whole or in part, by a check enclosed herewith and to credit any overpayments to said Deposit Account No. **50-2468**.

Respectfully submitted,

JONES DAY

Dated: 9/15/04

By: 

Rebekka C. Noll
Reg. No. 46,962

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